

United States District Court  
Violation Notice

Case 1:18-po-00151-TMP Doc #: 1 Filed: 11/15/18 1 of 1 PageID #: 1

ON 50

Violation Number <b>6231338</b>	Officer Name (Print) <b>BELLINI</b>	Officer No. <b>3582</b>
YOU ARE CHARGED WITH THE FOLLOWING VIOLATION		
Date and Time of Offense (mm/dd/yyyy) <b>9 OCT 18 - 2111 hrs</b>	Offense Charged <input checked="" type="checkbox"/> CFR <input type="checkbox"/> USC <input type="checkbox"/> State Code <b>38 CFR 1.218(b)(6)</b>	
Place of Offense <b>10701 East Blvd. - Main Hospital Cleveland OH 44106 4B-113</b>		

6231338

Offense Description: Factual Basis for Charge HAZMAT ☐  
**Failure to comply with signs of a directive and nature posted for safety purposes.**

DEFENDANT INFORMATION

Last Name <b>Newell</b>	First Name <b>Brian</b>	M.I. <b>G.</b>
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Tag No.	State	Year	Make/Model	PASS <input type="checkbox"/>	Color
<p>A <input type="checkbox"/> IF BOX A IS CHECKED, YOU MUST APPEAR IN COURT. SEE INSTRUCTIONS (on back of yellow copy).</p> <p>B <input checked="" type="checkbox"/> IF BOX B IS CHECKED, YOU MUST PAY AMOUNT INDICATED BELOW OR APPEAR IN COURT. SEE INSTRUCTIONS (on back of yellow copy).</p> <p><b>\$ 50.00</b> Forfeiture Amount <b>+ \$30</b> Processing Fee <b>\$ 80.00</b> Total Collateral Due</p> <p><b>PAY THIS AMOUNT →</b></p>					

YOUR COURT DATE

(If no court appearance date is shown, you will be notified of your appearance date by mail.)

Court Address	Date (mm/dd/yyyy)
	Time (h/m/a)

My signature signifies that I have received a copy of this violation notice. It is not an admission of guilt. I promise to appear for the hearing at the time and place instructed or pay the total collateral due.

X Defendant Signature 

STATEMENT OF PROBABLE CAUSE

(For issuance of an arrest warrant or summons)

I state that on **10-09**, 20**18** while exercising my duties as a law enforcement officer in the **Northern** District of **Ohio**

On date and time while conducting an interior patrol of the Cleveland VA medical center, I was dispatched to the Main Hospital room 4B-113 regarding a complaint of a patient, Brian Newell (SSN:277449288 DOB:04/29/1959) smoking inside his room. My investigation determined Newell was smoking inside his room. Newell admitted to me he was smoking in his room minutes before I arrived. Further investigation revealed I, provided Newell a verbal warning for the same offense last month. Newell was aware smoking was prohibited inside the Hospital. Subsequently I issued him this violation. A L.E.A.D.S. check showed no wants or warrants, Newell, was cited and released.

The foregoing statement is based upon:

- ☐ my personal observation
- ☒ my personal investigation
- ☐ information supplied to me from my fellow officer's observation
- ☐ other (explain above)

I declare under penalty of perjury that the information which I have set forth above and on the face of this violation notice is true and correct to the best of my knowledge.

Executed on: **10/09/2018** **Bellini 3582**  
Date (mm/dd/yyyy) Officer's Signature

Probable cause has been stated for the issuance of a warrant.

Executed on: \_\_\_\_\_  
Date (mm/dd/yyyy) U.S. Magistrate Judge

HAZMAT = Hazardous material involved in incident, PASS = 9 or more passenger vehicle;  
CDL = Commercial drivers license, CMV = Commercial vehicle involved in incident